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January 24, 2005

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application
Application No. 09/064,057; Filed: April 22, 1998
For: **Recombinant Methods for Making Reverse Transcriptases and Mutants Thereof**
Inventors: Gerard *et al.*
Our Ref: 0942.4330002/RWE/HCC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Form PTO-2038 Credit Card Payment Form for \$180.00 to cover late submission of 10th Supplemental Information Disclosure Statement;
2. Tenth Supplemental Information Disclosure Statement;
3. Form PTO-1449 (2 pages) citing 5 documents;
4. Copies of five (5) cited documents; and
5. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
January 24, 2005
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency,
or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

RWE/HCC/AWL:cpn
Enclosures

356897_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Gerard *et al.*

Appl. No.: 09/064,057

Filed: April 22, 1998

For: **Recombinant Methods for
Making Reverse Transcriptases
and Mutants Thereof**

Confirmation No.: 5386

Art Unit: 1652

Examiner: Nashed, Nashaat T.

Atty. Docket: 0942.4330002/RWE/HCC

Tenth Supplemental Information Disclosure Statement

Under 37 C.F.R. § 1.97(d)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Tenth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Ninth Supplemental Information Disclosure Statement filed on February 20, 2002, in connection with the above-captioned application. A copy of each document is provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates

should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

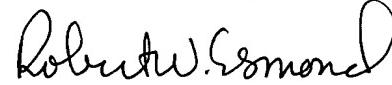
I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

Date: Jan. 24, 2005

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FORM PTO-1449

ATTY. DOCKET NO.
0942.433002/RWE/HCCAPPLICATION NO.
09/064,057TENTH SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT

JAN 24 2005

FIRST NAMED INVENTOR
Gerard et al.FILING DATE
April 22, 1998ART UNIT
5386**PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN2	WO 98/44161 A1	10/08/1998	WIPO			Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS		
	AT	25	Barnes, W.M., "PCR amplification of up to 35-kb DNA with high fidelity and high yield from λ bacteriophage templates," Proc. Natl. Acad. Sci. USA 91:2216-2220, National Academy of Sciences (1994)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 TENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 0942.4330002/RWE/HCC	APPLICATION NO. 09/064,057
FIRST NAMED INVENTOR Gerard et al.		
FILING DATE April 22, 1998		ART UNIT 5386

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PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
AA						
AB						
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AG						
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AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL						Yes No
AM						Yes No
AN						Yes No
AO						Yes No
AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>26</u>	Jones, M.D. and Foulkes, N.S., "Reverse transcription of mRNA by <i>Thermus aquaticus</i> DNA polymerase," <i>Nucl. Acids Res.</i> 17:8387-8388, IRL Press at Oxford University Press (1989)
AS	<u>26</u>	Ando, T. et al., "A One-Tube Method of Reverse Transcription-PCR To Efficiently Amplify a 3-Kilobase Region from the RNA Polymerase Gene to the Poly(A) Tail of Small Round-Structured Viruses (Norwalk-Like Viruses)," <i>J. Clin. Microbiol.</i> 35:570-577, American Society for Microbiology (1997)
AT	<u>26</u>	Copy of Supplementary Partial European Search Report for European Application No. 98 92 0859, European Patent Office, Netherlands, mailed October 25, 2004

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.